

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BARBARA COYLE, et al. : CIVIL ACTION
:
v. :
:
HESSEL BRUCE VERHAGE, et al. : NO. 03-965

ORDER

AND NOW, this 9th day of June, 2003, upon consideration of the "Motion of Defendants Hessel Bruce Verhage and Emery Air Freight Corporation to Compel Plaintiff's Answers to Request for Production of Documents," and the Court finding that the defendants have not under Local Rule 26.1(f) certified that the parties have attempted in good faith but are unable to resolve the instant discovery dispute, and the Court further finding that the defendants have served the requests for production in question on the day merits discovery was to close, it is hereby ORDERED that:

1. The motion is DENIED WITHOUT PREJUDICE;
2. The parties shall MEET AND CONFER in effort to resolve the instant discovery dispute;
3. If the parties are unable to resolve the dispute then defendants shall by June 12, 2003 re-file their motion, and include in their re-filed motion an explanation for why they served the requests for production on plaintiffs on the last day of merits discovery;
4. Plaintiffs shall file a response thereto by June 13, 2003; and

5. The parties shall fax to Chambers (215-580-2156) a courtesy copy of any papers filed under Paragraphs 3 and 4.

BY THE COURT:

Stewart Dalzell, J.